

AN ACT

appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the two-year period beginning September 1, 1965, and ending August 31, 1967; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE I. JUDICIARY

Section 1. The following sums, or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund or from such other sources as may be specified, for the expenses of the Judiciary and of the Judicial Service units of this State for the years shown:

COURTS OF CIVIL APPEALS

	For the Years Ending August 31, 1966	August 31, 1967
First District, Houston		
Personal Services--		
1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,800	4,800
4. Stenographer IV	<u>4,800</u>	<u>4,800</u>
Subtotal, Personal Services	\$ 77,100	\$ 77,100
5. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
Total, First District, Houston	<u>\$ 80,100</u>	<u>\$ 80,100</u>

The \$4,800-a-year salary rates of the Deputy Clerk and Stenographer IV are provided the First District Court of Civil Appeals in view of competitive salaries paid in the Houston metropolitan area.

COURTS OF CIVIL APPEALS
(Continued)

For the Years Ending
August 31, August 31,
1966 1967

Second District, Fort Worth

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	<u>2,472</u>	<u>2,556</u>
Subtotal, Personal Services	\$ 78,612	\$ 78,696
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
Total, Second District, Fort Worth	<u>\$ 81,612</u>	<u>\$ 81,696</u>

Third District, Austin

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	<u>2,472</u>	<u>2,556</u>
Subtotal, Personal Services	\$ 78,612	\$ 78,696
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
7. Office Equipment	<u>414</u>	<u>414</u>
Total, Third District, Austin	<u>\$ 82,026</u>	<u>\$ 81,696</u>

Fourth District, San Antonio

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Stenographer I	<u>3,216</u>	<u>3,324</u>
Subtotal, Personal Services	\$ 79,356	\$ 79,464

COURTS OF CIVIL APPEALS
(Continued)

	For the Years Ending August 31, 1966	August 31, 1967
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	\$ 3,000	\$ 3,000
Total, Fourth District, San Antonio	<u>\$ 82,356</u>	<u>82,464</u>

Fifth District, Dallas

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,800	4,800
4. Stenographer IV	4,800	4,800
5. Janitor	<u>2,472</u>	<u>2,556</u>
Subtotal, Personal Services	\$ 79,572	\$ 79,656
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,584	3,584
7. Law Book Repair	<u>1,108</u>	<u>U.B.</u>
Total, Fifth District, Dallas	<u>\$ 84,264</u>	<u>\$ 83,240</u>

The \$4,800-a-year salary rates of the Deputy Clerk and Stenographer IV are provided the Fifth District Court of Civil Appeals in view of competitive salaries paid in the Dallas metropolitan area.

Sixth District, Texarkana

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	<u>2,472</u>	<u>2,556</u>
Subtotal, Personal Services	\$ 78,612	\$ 78,696
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,000	3,000
7. Office Equipment	424	
8. Law Book Repair	2,300	U.B.
9. Law Books	<u>2,000</u>	<u>2,000</u>
Total, Sixth District, Texarkana	<u>\$ 86,336</u>	<u>\$ 83,696</u>

COURTS OF CIVIL APPEALS
(Continued)

	For the August 31, 1966	Years Ending August 31, 1967
 Seventh District, Amarillo		
Personal Services--		
1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	<u>2,472</u>	<u>2,556</u>
Subtotal, Personal Services	\$ 78,612	\$ 78,696
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
Total, Seventh District, Amarillo	<u>\$ 81,612</u>	<u>\$ 81,696</u>
 Eighth District, El Paso		
Personal Services--		
1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Clerk I	<u>2,724</u>	<u>2,724</u>
Subtotal, Personal Services	\$ 78,864	\$ 78,864
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
Total, Eighth District, El Paso	<u>\$ 81,864</u>	<u>\$ 81,864</u>
 Ninth District, Beaumont		
Personal Services--		
1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	<u>2,472</u>	<u>2,556</u>
Subtotal, Personal Services	\$ 78,612	\$ 78,696
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
Total, Ninth District, Beaumont	<u>\$ 81,612</u>	<u>\$ 81,696</u>

COURTS OF CIVIL APPEALS
(Continued)

For the Years Ending
August 31, August 31,
1966 1967

Tenth District, Waco

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	2,472	2,556

Subtotal, Personal Services	\$ 78,612	\$ 78,696
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6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,000	3,000
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Total, Tenth District, Waco	<u>\$ 81,612</u>	<u>\$ 81,696</u>
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Eleventh District, Eastland

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	2,472	2,556

Subtotal, Personal Services	\$ 78,612	\$ 78,696
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6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,000	3,000
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Total, Eleventh District, Eastland	<u>\$ 81,612</u>	<u>\$ 81,696</u>
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Twelfth District, Tyler

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Janitor	2,472	2,556

Subtotal, Personal Services	\$ 78,612	\$ 78,696
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6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,000	3,000
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Total, Twelfth District, Tyler	<u>\$ 81,612</u>	<u>\$ 81,696</u>
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COURTS OF CIVIL APPEALS
(Continued)

For the Years Ending
August 31, August 31,
1966 1967

Thirteenth District, Corpus Christi

Personal Services--

1. Judges, 3 at \$20,000	\$ 60,000	\$ 60,000
2. Clerk	7,500	7,500
3. Deputy Clerk	4,464	4,464
4. Stenographer IV	4,176	4,176
5. Clerk I	<u>2,916</u>	<u>3,012</u>
Subtotal, Personal Services	\$ 79,056	\$ 79,152
6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,000</u>	<u>3,000</u>
Total, Thirteenth District, Corpus Christi	<u><u>\$ 82,056</u></u>	<u><u>\$ 82,152</u></u>

SUPREME COURT OF TEXAS

Personal Services--

1. Judges, 9 at \$24,000	\$ 216,000	\$ 216,000
2. Clerk, Supreme Court (0429)	8,628	8,916
3. Chief Deputy Clerk, Supreme Court (0425)	7,080	7,320
4. Administrative Assistant (3541)	7,200	7,500
5. Secretary, Board of Law Examiners (0418)	7,080	7,320
6. Briefing Attorneys (3561), 9 NTE \$6,600	59,400	59,400
7. Salaries of Classified Positions	71,973	73,234
8. Part-time help for Secretary, Board of Law Examiners	<u>2,500</u>	<u>2,500</u>
Subtotal, Personal Services	\$ 379,861	\$ 382,190
Other Expenses--		
9. Travel	500	500
10. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>20,860</u>	<u>20,860</u>
Total, Supreme Court of Texas	<u><u>\$ 401,221</u></u>	<u><u>\$ 403,550</u></u>

SUPREME COURT OF TEXAS
(Continued)

The appropriation made in the item "Salaries of Classified Positions" above shall be used to employ personnel in the classified positions listed below, according to the provisions of this Act relating to the Position Classification Plan. Each job title authorizes one full-time position, except where a number following the job title indicates more than one position.

Group 12
7402 Librarian II

Group 10
7401 Librarian I

Group 9
0421 Deputy Clerks, 3

Group 7
0135 Secretary III, 9

Group 2
0051 Clerk I

Group C
0011 Messenger
8001 Janitor, 2

The Librarian I position authorized above shall be part-time, 34 hours per week, and the salary shall be computed proportionally at the hourly rate of the classified full-time rate. It is the Legislative intent that such position shall be used to keep the Supreme Court Library open from 5:00 p.m. until 11:00 p.m. on Mondays through Fridays, and from 8:00 a.m. to noon on Saturdays, except on designated State holidays.

COURT OF CRIMINAL APPEALS

	For the Years Ending	
	August 31, 1966	August 31, 1967
Personal Services--		
1. Judges, 3 at \$24,000	\$ 72,000	\$ 72,000
2. Commissioners in Aid to Court, 2 at \$24,000	48,000	48,000
3. Clerk, Court of Criminal Appeals (0415)	8,628	8,916
4. Briefing Attorneys (4561), 3 NTE \$6,600	19,800	19,800
5. Salaries of Classified Positions	<u>31,644</u>	<u>32,394</u>
Subtotal, Personal Services	\$ 180,072	\$ 181,110

COURT OF CRIMINAL APPEALS
(Continued)

For the Years Ending	
August 31,	August 31,
1966	1967

Other Expenses--

6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	\$ 5,400	\$ 5,400
Total, Court of Criminal Appeals	<u>\$ 185,472</u>	<u>\$ 186,510</u>

The appropriation made in the item "Salaries of Classified Positions" above shall be used to employ personnel in the classified positions listed below, according to the provisions of this Act relating to the Position Classification Plan. Each job title authorizes one full-time position, except where a number following the job title indicates more than one position.

Group 9

0411 Deputy Clerk (NLT \$5,436)

Group 7

0135 Secretary III, 5

Group 6

0128 Stenographer IV, (NLT \$4,176)

Group C

8001 Janitor

STATE PROSECUTING ATTORNEY BEFORE COURT OF CRIMINAL APPEALS

For the Years Ending	
August 31,	August 31,
1966	1967

Personal Services--

1. State's Attorney	\$ 14,000	\$ 14,000
2. Secretary III	<u>4,464</u>	<u>4,608</u>
Total, Personal Services	\$ 18,464	\$ 18,608

Other Expenses--

3. Travel	500	500
4. Consumable supplies and materials, current and recurring operating expense (excluding travel) and capital outlay	<u>1,652</u>	<u>1,172</u>
GRAND TOTAL, STATE PROSECUTING ATTORNEY	<u>\$ 20,616</u>	<u>\$ 20,280</u>

CIVIL JUDICIAL COUNCIL

For the Years Ending
August 31, August 31,
1966 1967

Out of General Revenue Fund:

Personal Services--

1. Statistician II	\$ 6,000	\$ 6,000
2. Part-time and seasonal help (NTE \$7,200 P/A)	<u>2,800</u>	<u>2,800</u>
Total, Personal Services	\$ 8,800	\$ 8,800
3. Travel, consumable supplies and materials, current and recurring operating expenses, and capital outlay, to carry out the purposes of Chapter 19, Acts, Forty-first Legislature, First Called Session, 1929, the sum of	<u>5,550</u>	<u>5,550</u>
GRAND TOTAL, CIVIL JUDICIAL COUNCIL	<u>\$ 14,350</u>	<u>\$ 14,350</u>

None of the moneys appropriated hereinabove to the Civil Judicial Council may be expended unless an annual operating budget recommended by said Council has been approved by the Governor, after the advice of the Legislative Budget Board, prior to the beginning of each fiscal year covered by this Act. Subject to the foregoing provision, any unobligated balance in the appropriation made for the year ending August 31, 1966 is hereby reappropriated to the Civil Judicial Council for the year ending August 31, 1967.

None of the moneys appropriated hereinabove to the Civil Judicial Council may be expended for continuing research or for research on new projects without the prior written approval of the subject-matter of such research by the Texas Legislative Council pursuant to Sections 3 and 6 of Chapter 324, Acts, 1949, 51st Legislature.

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT

For the Years Ending
August 31, August 31,
1966 1967

1. Salaries of 177 District Judges and Criminal District Judges, at \$16,000	\$2,832,000	\$2,832,000
2. District Judges' expenses in Districts composed of two or more counties	71,500	71,500

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT
(Continued)

	For the Years Ending August 31, 1966	August 31, 1967
3. Special District Judges' salaries and regular District Judges' expenses when holding court out of their districts, including the per diem for judges temporarily assigned outside their administrative Judicial Districts or counties pursuant to Senate Bill No. 349, Acts 1961, Fifty-seventh Legislature, Regular Session	\$ 50,000	\$ 50,000
Total, District Judges	<u>\$2,953,500</u>	<u>\$2,953,500</u>
4. Salaries of 62 District Attorneys at \$9,000 per year	\$ 558,000	\$ 558,000
5. Salary of District Attorney of the 22nd Judicial District at \$10,000 per year	10,000	10,000
6. Salaries of the Assistant District Attorneys of the 53rd Judicial District (Travis County), 2 NTE \$5,000	9,000	9,000
7. District Attorneys' expenses in Districts composed of two or more counties	<u>52,250</u>	<u>52,250</u>
Total, District Attorneys	<u>\$ 629,250</u>	<u>\$ 629,250</u>
8. Apportionment to counties where county officers are paid salaries and where there is a Criminal District Attorney or County Attorney performing the duties of District Attorney (as per Subsection B, Section 13, of Chapter 465, Second Called Session, Acts, Forty-fourth Legislature, as amended), or in counties having a Criminal District Court where the office of Criminal District Attorney has been abolished and the Constitutional office of District Attorney for such Criminal District Court created (as per House Bill No. 561 of the Fifty-third Legislature, Regular Session)	\$ 228,969	\$ 228,969
9. Apportionment to counties where county officers are paid salaries (Chapter 465, Section 6 (a), Second Called Session, Acts, Forty-fourth Legislature). Should any county by election of the Commissioners Court, change from a salary to a fee basis during this biennium, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for paying fees and costs of sheriffs and other county officials	611,397	611,397

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT
(Continued)

For the Years Ending
August 31, August 31,
1966 1967

10.	Fees and Costs paid to sheriffs, attorneys and clerks in felony cases, and fees of county judges, county attorneys, justices of the peace, sheriffs and constables in examining trials where indictments are returned. Should any county, by election of the Commissioners Court, change from a fee basis to a salary basis during this biennium, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for apportionment to counties where County Officers are paid salaries	\$ 15,000	\$ 15,000
	Total, County Officers	<u>\$ 855,366</u>	<u>\$ 855,366</u>
11.	Expenses of attached witnesses, witness fees and mileage allowed witnesses in felony cases where the witness lives outside the county where the case is being tried	\$ 40,000	\$ 40,000
12.	Transcript fee to official court reporters as provided by Chapter 465, Section 5, Acts Fifty-second Legislature (Article 759-A, Section 5, V. A. C. C. P.)	1,600	1,600
13.	Traveling expenses of judges of Courts of Civil Appeals when sitting in other districts	3,500	3,500
14.	Expenses of witnesses in felony cases or before a grand jury summoned under the provisions of Article 486a, C.C.P., to attend and testify in this State	<u>2,000</u>	<u>2,000</u>
	GRAND TOTAL, JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT	<u><u>\$4,485,216</u></u>	<u><u>\$4,485,216</u></u>

JUDICIARY - SPECIAL PROVISIONS

Sec. 2. No funds appropriated in this Article for travel may be used to pay any expense of traveling outside the boundaries of the State of Texas, except the actual expenses of the State's Attorney when it is necessary that he appear before any court in behalf of this State and the actual expenses of the Chief Justice of the Supreme Court or his designated Associate Justice in attending national or regional meetings of Chief Justices of the States or meetings of organizations of which the State of Texas is a member and in which the membership of the State of Texas has been approved by the Legislature.

JUDICIARY - SPECIAL PROVISIONS
(Continued)

Sec. 3. The terms "consumable supplies and materials," "current and recurring operating expense," and "capital outlay" as used in this Article for particular appropriations shall mean and include those objects of expenditures as set forth under such terms by the Comptroller's standard expenditure classification effective September 1, 1959, as amended, except where such appropriation language specifically excludes travel expense. It is further provided that such appropriations may be expended for law library books for the respective courts.

Sec. 4. No court or judicial unit specified in this Article shall incur an obligation in excess of the amounts appropriated to it for the respective objects or purposes named. In the event this provision is violated the State Auditor shall certify the fact and the name of the responsible officer or employee to the Comptroller, and thereafter no warrant shall be drawn for the payment of any of the moneys appropriated in this Article to such officer or employee.

Sec. 5. (a) None of the moneys appropriated in this Article may be expended after a period of one hundred (100) days following the close of each fiscal year, unless there has been filed with the Governor, the Auditor, the Civil Judicial Council, and the Legislative Budget Board an annual report as of August 31 of the preceding fiscal year by each court or judicial agency specified in this Article, showing the use of appropriated funds. The annual report shall include the following: An annual financial report showing the true condition of all funds and account balances for which the court or agency is responsible, and reflecting the actual cash on hand and on deposit in banks and in the State Treasury; values of consumable supplies and postage; and values of all other assets. The report shall also contain summaries by sources of all revenues collected for the fiscal year immediately preceding; and a summary of appropriations expenditures and all other disbursements of the court or agency for the fiscal year.

(b) An annual report from each court shall be filed not later than sixty (60) days following the close of each calendar year with the Governor, and copies thereof with the Civil Judicial Council and the Legislative Budget Board, showing the total number of cases transferred to and from each court, and the number of cases disposed of with the proper subclassification as to the manner of disposition, such as by dismissal, final judgment, reversal and affirmance.

(c) Should any court or judicial agency fail to comply with the provisions of this Section, the Comptroller of Public Accounts is directed by the Legislature, under its authority as found in Section 10, Article XVI of the Constitution of the State of Texas, to withhold salary payments to the official or officials or employee or employees who are responsible for such failure.

RECAPITULATION
ARTICLE I - JUDICIARY

	For the Years Ending August 31, 1966	August 31, 1967
Out of General Revenue Fund:		
Courts of Civil Appeals:		
First District, Houston	\$ 80,100	\$ 80,100
Second District, Fort Worth	81,612	81,696
Third District, Austin	82,026	81,696
Fourth District, San Antonio	82,356	82,464
Fifth District, Dallas	84,264	83,240
Sixth District, Texarkana	86,336	83,696
Seventh District, Amarillo	81,612	81,696
Eighth District, El Paso	81,864	81,864
Ninth District, Beaumont	81,612	81,696
Tenth District, Waco	81,612	81,696
Eleventh District, Eastland	81,612	81,696
Twelfth District, Tyler	81,612	81,696
Thirteenth District, Corpus Christi	82,056	82,152
Supreme Court	401,221	403,550
Court of Criminal Appeals	185,472	186,510
State's Prosecuting Attorney	20,616	20,280
Civil Judicial Council	14,350	14,350
Judiciary Section - Comptroller's Department	4,485,216	4,485,216
GRAND TOTAL, THE JUDICIARY	<u>\$6,175,549</u>	<u>\$6,175,294</u>